

FORM PTO-1390
(REV. 10-2003)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

14725-3US MG/al

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

U.S. APPLICATION NO. (If known, see 37 CFR 1.5

10/500473

INTERNATIONAL APPLICATION NO.

PCT/CA03/00071

INTERNATIONAL FILING DATE

Januray 22, 2003

PRIORITY DATE CLAIMED

Januray 22, 2002

TITLE OF INVENTION

METHOD OF DRYING BIODEGRADABLE POLYMERS

APPLICANT(S) FOR DO/EO/US

BioMatera Inc. et al.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☒ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A preliminary amendment.
14. ☒ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information: Copy of the International Search Report; Form PCT/IB/308; Copy of a change of address of Applicant BIOMATERA INC..

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21. ☒ The following fees are submitted:

BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):

Neither international preliminary examination fee (37 CFR 1.482)

nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO

and International Search Report not prepared by the EPO or JPO.

International preliminary examination fee (37 CFR 1.482) not paid to
USPTO but International Search Report prepared by the EPO or JPO **\$920.00**

International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO	\$770.00
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International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4)	\$730.00
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International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4)	\$100.00
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ENTER APPROPRIATE BASIC FEE AMOUNT =

Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE
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Total claims	12	- 20 =	x \$18.00
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Independent claims	1	- 3 =	x \$86.00
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MULTIPLE DEPENDENT CLAIM(S) (if applicable)	+ \$290.00
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TOTAL OF ABOVE CALCULATIONS =

☒ Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.

SUBTOTAL =

Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).

TOTAL NATIONAL FEE =

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). **\$40.00** per property +

TOTAL FEES ENCLOSED =

Amount to be refunded:	\$
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charged:	\$
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- a. ☐ A check in the amount of \$ _____ to cover the above fees is enclosed.
- b. ☒ Please charge my Deposit Account No. 19-5113 in the amount of \$ 460.00 to cover the above fees.
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 19-5113. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

OGILVY RENAULT
Suite 1600
1981 McGill College
Montréal, Québec, Canada
H3A 2Y3

Customer Number: 020988

~~SIGNATURE~~

Paul Marcoux

NAME _____

24.990

REGISTRATION NUMBER

Rec'd PCT/PTO 16 JUL 2004

10/500473

<p>The PTO did not receive the following listed item(s)</p> <p><i>no post card</i></p>
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BEST AVAILABLE COPY

**OGILVY
RENAULT**

10/500473
DT15 Rec'd PCT/PTO 16 JUL 2004

Direct Dial: (418) 640-5988
pmarcoux@ogilvyrenault.com

SENT BY FAX & COURIER

Québec, July 14, 2004

International Preliminary Examining Authority
European Patent Office, DG-2 Erhardtstrasse 27
D-80331 München - GERMANY

Dear Sir or Madam:

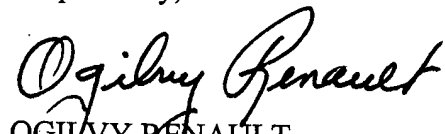
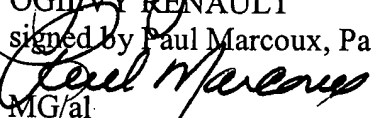
RE: International Patent Application
No. PCT/CA03/00071 - January 22, 2003
METHOD FOR DRYING BIODEGRADABLE POLYMERS
Applicants: BioMatera Inc. et al.
Our reference: 14725-3PCT MG/al

The address of Applicant BIOMATERA INC. has changed for the following:

3760, rue Panet
Jonquière (Québec)
Canada G7X 0E5

Confirmation of receipt of the above would be appreciated.

Respectfully,


OGILVY RENAULT
signed by Paul Marcoux, Patent Agent

MG/al

Attachment EPO Form 1037

c.c. International Bureau

10/500473

DT15 PCT/CA 16 JUL 2004

Patent

Attorney Docket No. 14725-3US MG/al

#3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Sabin Boily et al.

SERIAL NO.: NEW U.S. PCT APPLICATION

FILED: HERewith

INTERNATIONAL APPLICATION NO.: PCT/CA03/00071

INTERNATIONAL FILING DATE: January 22, 2003

FOR: METHOD OF DRYING BIODEGRADABLE POLYMERS

**REQUEST FOR CONSIDERATION OF DOCUMENTS CITED IN
INTERNATIONAL SEARCH REPORT**

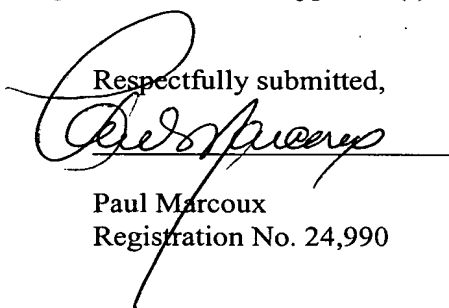
Commissioner for Patents
Washington, DC 20231
U. S. A.

Sir:

In the matter of the above-identified application for patent, notice is hereby given that applicant(s) request that the Examiner consider the documents cited in the International Search Report according to MPEP §609 and so indicate by a statement in the first Office Action that the information has been considered. When the form PCT/DO/EO/903 indicates both the search report and copies of the documents are present in the national stage file, there is no requirement for the applicant(s) to submit them (1156 O.G. 91 November 23, 1993).

Date: July 15, 2004

Respectfully submitted,


Paul Marcoux
Registration No. 24,990

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